

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Municipal Administration & Urban Development Department – Greater Hyderabad Municipal Corporation – Sri A.Sreerami Reddy, Chief City Planner (Retired), Municipal Corporation of Hyderabad Departmental proceedings initiated - Imposing the punishment of withholding of 5% cut in pension for a period of two years under A.P.Revised Rules, 1980 – Reviewed - Further action dropped – Orders – Issued.

MUICIPAL ADMN. & URBAN DEVELOPMENT (Vig.III) DEPARTMENT

G.O.Rt.No. 1566.

Dated:19-11-2008.

Read the following:-

1. G.O.Ms.No.160, MA, dated: 29-03-2003.
2. G.O.Rt.No.428,MA, dated: 29-03-2003.
3. G.O.Rt.No.519, MA., dated: 21-05-2004.
4. From Sri D.Ramaiah, IAS.,(Retd.) Member, Commissionerate of Inquiries, General Administration Department D.O.Letter No.177/M-COI.RCS.DR/2003, dated:4-8-2004.
5. Government Memo.No.16279/Vig.III/2001-15, dt: 23-3-2005.
6. From Sri A.Sreerami Reddy, CCP (Retd.) Representation, dated 04-05-2005.
7. G.O.Rt.No.1597, MA & UD (Vig.III) Dept., dt: 24-11-2005.
8. Orders of Hon'ble A.P.A.T., Hyderabad in O.A. No. 204/2006, dated: 14-12-2007.
9. Orders of Hon'ble AP. High Court, Hyderabad in W.P.No.19158 of 2008 dated.4.9.2008.
10. Representation of Sri A.Sreerami Reddy, Chief City Planner (Retd.) dated:31.12.2007.

ORDER:-

In the reference first and second read above, Government have accorded sanction under sub-clause (1) (b) sub-rule (2) of Rule 9 of the A.P.Revised Pension Rules, 1980 to initiate departmental proceedings against Sri A.Sreerami Reddy, former Chief City Planner, Municipal Corporation of Hyderabad and framed article of charges against him, as he was exhibited lack of integrity, devotion to duty and conduct unbecoming a member of service and thereby contravened the Rule 9 of A.P. Revised Pension Rules, 1980.

2. In the reference 3rd read above, Government have appointed Sri D. Ramaiah, IAS (Retd.) Member, Commissionerate of Inquiries as Inquiry Authority in place of Sri R.C. Samal, IAS., to inquire into the charges framed against him. In the reference 4th read above Sri D.Ramaiah, IAS (Retd) Member, Commissionerate of Inquiries & Inquiry Authority has submitted his report, wherein he held that the charge framed against the Charged Officer is proved. Accordingly, in the reference 5th read above, a copy of the Enquiry Report has been communicated to Sri A.Sreerami Reddy, the then Chief City Planner, MCH (Retd) for his representation on the Inquiry Report. Sri A.Sreerami Reddy, Chief City Planner (Retired) Municipal Corporation of Hyderabad has submitted his representation in the reference 6th read above. After careful examination of the matter and in consultation with appropriate authorities, Government have imposed

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the punishment of withholding 5% cut in pension of Sri A.Sreerami Reddy, the then Chief City Planner (Retd.) Municipal Corporation of Hyderabad for a period of two (2) years, under Rule 9 (2) of A.P. Revised Pension Rules, 1980, vide reference 7th read above.

3. Aggrieved by the above said orders, Sri A.Sreerami Reddy, Chief City Planner (Retd.) has filed O.A.No.204/2006 before the A.P. Administrative Tribunal challenging the punishment imposed against him. The Hon'ble A.P. Administrative Tribunal in its orders 8th read above, has directed that "keeping all the facts and circumstances of the case in mind. It is seen that no instance of malafide intention was proved against the applicant. It is also noticed that lack of supervision being purely a technical lapse and also since acts of negligence do not constitute misconduct in view of the recent judgment of the Hon'ble Supreme Court cited above, the impugned G.O.Rt.No.1597, Municipal Administration & Urban Development Department dated 24.11.2005 is quashed and the OA is allowed. Accordingly, the applicant is directed to make a representation in pursuance of this order to the respondent within a period of one month for reconsideration of his case and the respondent is directed to consider the same and pass appropriate orders keeping in view the observations made in this order within a period of three months from the date of receipt of a representation to be made by the applicant in pursuance of this order. No costs".

4. Against the above orders of Hon'ble APAT., Hyderabad Government have filed W.P.No.19158/2008 before the High Court of A.P., Hyderabad. The Hon'ble High Court in its judgment dated. 4.9.2008 in W.P.No.19158 of 2008 ordered that "in view of the above, we do not see any reason to interfere with the observations made by the Tribunal. However, time is extended by six (6) more weeks from today to dispose of the matter. Petitioner is directed to consider the representation made by the respondent and pass appropriate orders in accordance with the observations made in the O.A".

5. In the reference 10th read above, Sri A.Sreerami Reddy, Chief City Planner (Retd.) Municipal Corporation of Hyderabad has submitted his representation requesting Government to consider and pass appropriate orders, restoring his pensionary benefits keeping in view of the directions of the A.P. Administrative Tribunal.

6. After careful examination of the entire matter and keeping in view of the orders of Hon'ble A.P. Administrative Tribunal and High Court of A.P. Hyderabad in the reference 8th & 9th read above Government hereby considered the representation of the retired officer and decided to drop further action against Sri A.Sreerami Reddy, Chief City Planner (Retd.) Municipal Corporation of Hyderabad duly rescinding the orders issued in GO 7th read above. Accordingly, further action against him is dropped.

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7. The Commissioner & Special Officer, Greater Hyderabad Municipal Corporation, Hyderabad shall take necessary action in restoring pensionary benefits to Sri A.Sreerami Reddy, Chief City Planner (Retd) Municipal corporation of Hyderabad, if no other disciplinary case (s) are pending against him.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**S.P.SINGH,
EX.OFFICIO PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Commissioner & Special Officer,
Greater Hyderabad Municipal Corporation,
Hyderabad
Sri A.Sreerami Reddy, Chief City Planner (Retd.)
Through: the Commissioner & Special Officer,
GHMC., Hyderabad

Copy to

The Accountant General (Pension) , A.P. Hyderabad
The Government Pleader for Services, MA&UD
A.P. Administrative Tribunal, Hyderabad
(with a request to appraise the position to Hon'ble
A.P.A.T.,as and when the C.A.No.499/2008 in
O.A.No.
204/2006 is coming up for hearing)
Copy to SF/SCs.

//forwarded by order//

SECTION OFFICER